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RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 19th August, 1960:—

I

BILL No. 15 OF 1960

A bill further to amend the Constitution of India

Be it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1960. Short title.
2. (1) In article 333 of the Constitution, for the words "nominat such number of members of the community to the Assembly as he considers appropriate" the words "nominate, in the case of the State of West Bengal, not more than two members, and, in the case of any other State, one member, of the community to the Assembly" shall be substituted. Amendment of article 333.
- (2) Nothing contained in sub-section (1) shall affect any representation of the Anglo-Indian community in the Legislative Assembly of any State existing at the commencement of this Act until the dissolution of that Assembly.

STATEMENT OF OBJECTS AND REASONS

The Constitution (Eighth) Amendment Bill, 1959, as passed by the Lok Sabha last year, amended article 334 of the Constitution for continuing the representation of Anglo-Indians by nomination for a further period of ten years. But the desirable provision in the original Bill fixing the number of members who may be so nominated to State Assemblies was not adopted as the clause containing that provision could not be passed by a majority of the two-thirds of the members of that House as required under the Constitution. This Bill seeks to re-introduce that provision which had to be so left out.

BHUPESH GUPTA.

II

BILL No. 16 OF 1960

A bill to provide for ceilings on salaries in private employment.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Ceilings on Salary (in Private Sector) Act, 1960. Short title
and extent.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. The monthly salary paid to an employee in any private concern, or firm, or industry shall not be more than the maximum fixed for the Government employees. Ceiling on
salary.

3. (1) As soon as may be, after the commencement of this Act, every private concern, firm or industry shall determine and fix as prescribed in section 2, the maximum salary in respect of every person under their employ and may review at such intervals as it may think fit, the rates of salaries so fixed. Procedure
for fixing
salaries.

(2) In fixing the rate of salary in respect of any employment for the first time under this Act the private concern, firm or industry shall either,—

(a) appoint a committee to hold inquiries and advise it in this behalf with such sub-committees for different employments

as it may deem expedient to appoint to assist such committee,
or

(b) publish its proposals for the information of persons likely to be affected thereby and specify a date, not less than three months from the date of the publication, on which the proposals will be taken into consideration.

(3) After considering the advice of the Committee appointed under clause (a) of sub-section (2), or the representations received by it before the date specified under clause (b) of that sub-section, every private concern, firm or industry shall, subject to the provisions of section 2, fix the rate of salary in respect of each employment.

Penalty. }

4. Any employer who contravenes any of the provisions of this Act shall be punishable with a fine of ten thousand rupees.

STATEMENT OF OBJECTS AND REASONS

There are many private concerns which pay exorbitantly high salaries to certain categories of their managerial personnel. These high salaries not only tend to widen the disparities in income and run counter to the directive principles of the State policy as embodied in our Constitution but are also a corrupting influence and they stand in the way of availability of competent persons for public undertakings where the salaries are comparatively less. The Bill seeks to remedy this situation with a view to attracting talents to the public sector and promoting social justice.

BHUPESH GUPTA.

III

BILL NO. 19 OF 1960

A bill to amend the Hindu Minority and Guardianship Act, 1956.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

Short title. 1. This Act may be called the Hindu Minority and Guardianship (Amendment) Act, 1960.

Amendment of section 6. 2. In section 6 of the Hindu Minority and Guardianship Act, 1956, 32 of 1956.
for clause (a), the following clauses shall be substituted, namely:—

“(a) in the case of a boy who has not completed the age of ten years or an unmarried girl—the mother, and after her, the father;

(aa) in the case of a boy who has completed the age of ten years—the father, and after him, the mother;”.

STATEMENT OF OBJECTS AND REASONS

According to the provisions of section 6 of the Hindu Minority and Guardianship Act, 1956, the father is the natural guardian of a Hindu minor if such minor is a boy or an unmarried daughter and the mother comes in after the father. The custody of the child is vested in the mother only up to the age of five. Since the Hindu Succession Act, 1956, came into force, the economic position of women has considerably improved. In view of the changed circumstances, it is necessary now that the mother should be given preference over the father for the natural guardianship of her daughter till she is married and of her son till he completes the age of ten years. The Bill seeks to amend the present provisions of the law accordingly.

SEETA PARMANAND.

IV

BILL No. 13 OF 1960

A bill to prohibit the manufacture of vegetable oil in hydrogenated form so as to prevent it from being used as an adulterant of ghee.

Be it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

Short title
and extent.

1. (1) This Act may be called the Prohibition of Hydrogenating Vegetable Oil Act, 1960.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

Definition.

2. In this Act, unless the context otherwise requires, "vegetable oil" means any oil used for edible purposes.

Punishment
for hydroge-
nating vege-
table oil.

3. (1) No person shall manufacture any vegetable oil in hydrogenated form.

(2) If any person contravenes the provisions of sub-section (1), he shall be punishable with imprisonment of either description for a term which may extend to two years and with fine which may extend to two thousand rupees.

STATEMENT OF OBJECTS AND REASONS

Ghee has been, and is, an essential food medium in India for vegetarians and non-vegetarians alike. As hydrogenated vegetable oil resembles *ghee* in appearance and colour, it is being used on a large scale for adulteration of *ghee* in the country by many *ghee* dealers. Consequently pure *ghee* is not available in the market even on payment of high price. This Bill seeks to make it compulsory for all vegetable oil manufacturers not to hydrogenate it so that vegetable oil may not be used as an adulterant of *ghee*.

JUGAL KISHORE.

S. N. MUKERJEE,
Secretary.

